

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CHARLES BUCKLEY,

Plaintiff,

-against-

SONY PICTURES ENTERTAINMENT, INC., SONY
PICTURES TELEVISION, INC., and TOPANGA
PRODUCTIONS, INC.

Defendants.
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ORDER
10-CV-2999 (DLI)

GOLD, STEVEN M., U.S.M.J.:

Plaintiff brings this action seeking money damages for a personal injury he sustained while working as an actor on a set for a television show. Plaintiff moves to amend his complaint to add additional parties. Docket Entries 17, 18. Defendant Topanga Productions, Inc. (“Topanga”) moves for summary judgment, arguing that New York’s Worker’s Compensation Law bars plaintiff’s claim against it. Docket Entry 19. The Honorable Dora L. Irizarry referred both motions to me to report and recommend. Order dated Mar. 10, 2011.

Plaintiff has failed to comply with Local Civil Rule 7.1, which requires that all motions, as well as oppositions and replies, include a “memorandum of law, setting forth the cases and other authorities relied upon in support of the motion.” *See* Docket Entries 17, 18, 24-26. Plaintiff has also failed to comply with Local Civil Rule 56.1(b), which requires that all oppositions to motions for summary judgment “shall include a correspondingly numbered paragraph responding to each numbered paragraph in the statement of the moving party, and if necessary, additional paragraphs containing a separate, short and concise statement of additional material facts as to which it is contended that there exists a genuine issue to be tried.” *See also* FED. R. CIV. P. 56(c) (requiring citations to admissible evidence on summary judgment motions).

These failures would be sufficient bases to grant Topanga's summary judgment motion by default and to deny plaintiff's motion for leave to amend. Nonetheless, I will grant plaintiff one opportunity to correct these deficiencies. Accordingly, plaintiff shall file his memoranda of law and Rule 56.1 Statement in full compliance with Local Civil Rule 56.1, including any admissible evidence in support of his Rule 56.1 Statement, no later than **August 10, 2011**. Any defendant may file an opposition or reply to plaintiff's submission no later than August 17, 2011. Failure to comply with this Order may result in a recommendation that this action be dismissed for failure to prosecute. The parties shall provide the undersigned with unredacted courtesy copies of their motion papers forthwith.

SO ORDERED.

/s/
Steven M. Gold
United States Magistrate Judge

Brooklyn, New York
July 26, 2011

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